

*Application No. 09/970458*  
*Page 4*

*Amendment*  
*Attorney Docket No. S63.2R-9396-US02*

17. (New) The stent delivery system of claim 5 wherein at least one of the stent retaining sleeves is comprised of alternating strips of the at least two materials.
18. (New) The stent delivery system of claim 1, wherein the first stent retaining sleeve is in contact with the second stent retaining sleeve when the stent is collapsed.

#### REMARKS

This Amendment is in response to the Office Action dated September 4, 2003.

Each issue is discussed in detail below.

#### *§102 Rejections*

Claims 1 and 7-9 were rejected under 35 USC §102(b) as being anticipated by Savin et al. (US 4950227).

Although Applicant does not agree with the rejection because Savin et al. do not disclose each and every element of the claimed invention, independent claim 1 has been amended to further distinguish the claimed invention from the cited reference.

Claims 1-3 and 5-9 were rejected under 35 USC §102(e) as being anticipated by Hanson (US 6387118).

Although Applicant does not agree with the rejection, independent claim 1 has been amended to further distinguish the claimed invention from the cited reference.

#### *§103 Rejections*

Claim 4 was rejected under 35 USC §103(a) as being unpatentable over Savin et al. in view of Blaeser et al. (US 6168617). It is asserted in the official action that Savin et al. disclose the claimed invention except for the at least one stent retaining sleeve having a plurality of openings. However, it is further asserted, Blaeser teaches that a stent retaining sleeve may be provided with a plurality of holes and that it would have been obvious to make the combination.

Applicant traverses because Savin et al. do not disclose the invention as claimed because, among other reasons, the sleeves of Savin et al. are not disclosed to be constructed and arranged to retract toward the attached first end when the stent is expanded. As such, withdrawal of the rejection is respectfully requested.

Application No. 09/970458  
Page 5

Amendment  
Attorney Docket No. S63.2R-9396-US02

Claim 10 was rejected under 35 USC §103(a) as being unpatentable over Savin et al. in view of Euteneuer et al. (US 5445646). It is asserted in the official action that Savin et al. disclose the claimed invention except for the stent retaining sleeves overlapping. However, it is further asserted, Euteneuer et al. teach that the proximal and distal sleeves overlap to form a seal and that it would have been obvious to make the combination.

Applicant traverses because Savin et al. do not disclose the invention as claimed because, among other reasons, the sleeves of Savin et al. are not disclosed to be constructed and arranged to retract *toward* the attached first end when the stent is expanded. As such, withdrawal of the rejection is respectfully requested.

#### CONCLUSION

The claims are now believed to be in condition for allowance. The prompt allowance of these claims is earnestly solicited.

Respectfully submitted,

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